IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.879 OF 2007
IN
INCOME TAX APPEAL (L) NO.288 of 2004
IN
INCOME TAX APPEAL NO. OF 2004

The Commissioner of Income Tax VI Mumbai .. Appellant

vs

M/s Avtarsingh & Co Pvt.Ltd .. Respondent

Ms.P.P.Bhosale for Appellant

Ms.A.Visajee i.b S.J.Mehta for Respondent

CORAM : DR.S.RADHAKRISHNAN & V.C.DAGA, JJ

DATE : 5th June, 2007

P.C.

1. In view of withdrawal of the appeal, motion has become infructuous.

(V.C.Daga, J) (Dr.S.Radhakrishnan, J)

1. Heard learned counsel for the appellant and for the respondent. Learned counsel for the appellant seeks leave to withdraw the appeal.

2. Appeal is allowed to be withdrawn.

3. Permissible court fees be refunded to the appellant as per rules.

(V.C.Daga, J) (Dr.S.Radhakrishnan, J)